

12B

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

**Request and Order for Modifying Conditions of Supervision
With Consent of the Offender
(Waiver of hearing attached)**

Name of Offender: **Michelle Ortega**

Docket Number: **2:17CR00605-001**

Name of Sentencing Judicial Officer: **Honorable Ted Stewart
Senior U.S. District Judge**

Date of Original Sentence: **May 10, 2018**

Original Offense: **Possession of Cocaine With Intent to Distribute**

Original Sentence: **36 Months Imprisonment/ 60 Months Supervised Release**

Type of Supervision: **Supervised Release**

Supervision Began: **November 26, 2019**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

The defendant shall reside and participate in an inpatient correctional treatment program to obtain assistance for drug and/or alcohol abuse, for a period of up to 90 days, and up to 10 additional days for substance abuse detoxification services if deemed necessary.

As directed by the probation officer, the defendant shall reside and participate in a residential community corrections center, for a period of up to 180 days; pursuant to 18 U.S.C. §83563(b)(11). The defendant shall pay the cost of confinement as determined by the Bureau of Prisons.

CAUSE

The defendant was sentenced by Your Honor on May 5, 2018, for a violation of 21 U.S.C § 841(a)(1) -- Possession of Cocaine with Intent to Distribute and was sentenced to 36 months custody followed by 60 months supervised release.

On or about November 26, 2019, she was released from custody and commenced supervised release in the Northern District of California.

However, on February 5, 2020, her supervision was transferred to the Eastern District of California.

It was reported that since residing in the Eastern District of California, the defendant has maintained full-time employment, often working more than one job.

Furthermore, it was reported that the defendant was in a romantic relationship and requested to move in with him. Upon further questioning, she eventually disclosed that her love interest is on active federal supervision, and she met him while they were in a residential re-entry center. The defendant further admitted that she failed to request permission to associate with him. Her association with this love interest is currently denied as he has had multiple violations for substance abuse and is presently in a residential drug treatment program for substance abuse.

PROB 12B
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Michelle Ortega
2:17CR00605-001

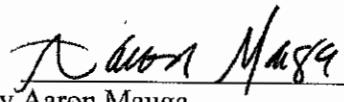
On March 11, 2022, the defendant submitted to a drug test which yielded positive results for methamphetamine. The defendant admitted she had been using methamphetamine since March 2022, ostensibly due to the stress of not having a residence and her restricted association with her love interest. She further admitted her addiction was "out of control" and requested substance abuse assistance.

On March 14, 2022, the defendant voluntarily signed a Waiver of Hearing form, agreeing to add a residential drug treatment as well as a residential re-entry center condition.

It is the opinion of the probation office in the Eastern District of California that the above recommended conditions will assist the defendant in regaining control of her addiction as well as to address her lack of residence.

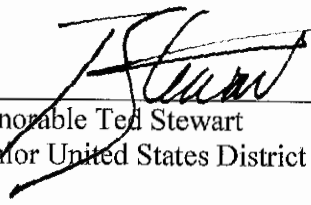
Therefore, due to the defendant's overall compliance with supervised release including maintaining employment and this being her first reported issue of non-compliance the Eastern District of California is respectfully recommending that the defendant be allowed to continue on her term of Supervised release and that her Court order be amended to include the above special conditions.

I declare under penalty of perjury that the foregoing is true and correct.


by Aaron Mauga
U.S. Probation Officer
March 16, 2022

THE COURT ORDERS:

- ☒ The modification of conditions as noted above
☐ No action
☐ Other


Honorable Ted Stewart
Senior United States District Judge

Date: 3/16/2022

UNITED STATES DISTRICT COURT
District of Utah

**Waiver of Hearing to Modify Conditions
Of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall also comply with the following special conditions:

7. The defendant shall reside and participate in an inpatient correctional treatment program to obtain assistance for drug and/or alcohol abuse, for a period of up to 90 days, and up to 10 additional days for substance abuse detoxification services if deemed necessary.
8. As directed by the probation officer, the defendant shall reside and participate in a residential community corrections center, a for a period of up to 180 days; pursuant to 18 U.S.C. § 83563(b)(11). The defendant shall pay the cost of confinement as determined by the Bureau of Prisons.

Witness


Philip Mizutani
U.S. Probation Officer

Signed


Michelle Ortega
Probationer or Supervised Releasee

03/14/22
Date